

CHAPTER 28 VETERINARIANS

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2800 APPLICABILITY

- 2800.1 This chapter shall apply to applicants for and holders of a license to practice veterinary medicine.
- 2800.2 Chapters 29 (Animal Facilities) and 33 (General Rules: Funeral Directors, Veterinarians, and Interior Designers) of this title shall supplement this chapter.
- 2800.3 The provisions of this chapter prevail in the event of a direct and irreconcilable conflict between this chapter and chapter 33 of this title.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §6(1) the Veterinary Practice Act of 1982, D.C. Law 4-171, D.C. Code §2-2725(m) (1987 Supp.), and Mayor's Order 86-117, issued July 21, 1986, 33 DCR 5690 (September 12, 1986).

SOURCE: Final Rulemaking published at 35 DCR 2226 (March 25, 1988).

2801 EDUCATIONAL REQUIREMENTS

- 2801.1 Except as provided in §2805, an applicant for a license under this chapter, in addition to complying with the requirements of §3301 of chapter 33 of this title, shall prove

to the satisfaction of the Board that the applicant has successfully completed an educational program in the practice of veterinary medicine at an institution accredited by the American Veterinary Medical Association (AVMA) at the time the applicant graduated, by arranging for a certified transcript to be sent directly from the institution to the Board.

SOURCE: Final Rulemaking published at 35 DCR 2226 (March 25, 1988).

2802 EXAMINATION

- 2802.1 In order to be licensed to practice veterinary medicine, an applicant shall be required to receive passing scores on the District examination and the National Board Examination approved by the American Veterinary Medical Association (national examination), unless the Board waives the examination requirements pursuant to §2804.
- 2802.2 An applicant shall take the national examination approved by the American Veterinary Medical Association and the Board prior to taking the District examination. An applicant shall arrange for proof of the applicant's National Board score to be sent directly from the testing service to the Board.
- 2802.3 The passing grade for the national examination shall be a score of a one and one-half (1 1/2) standard deviation below a converted score of seventy-five percent (75%).
- 2802.4 An applicant who has passed the national examination within the seven (7) year period prior to the date the application for a license is received by the Director shall not be required to retake that examination.
- 2802.5 An applicant who has passed the national examination more than seven (7) years prior to the date the application for a license is received by the Director shall retake that examination unless the Board, in its discretion, extends the period within which the examination results will be accepted with respect to an applicant who has been actively practicing veterinary medicine.
- 2802.6 The Board shall hold the District examination at least once a year at a time and place determined by the Board in accordance with procedures established by the Board.
- 2802.7 An applicant shall submit an application to take the District examination at least forty-five (45) days prior to the date of the District examination. An applicant who has previously taken that examination shall submit such an application at least thirty (30) days prior to the date of a District examination.
- 2802.8 The District examination shall include questions on Radiology, Canine Medicine, Feline Medicine, Surgery, Clinical Pathology, Pharmacology, and other areas specified by the Board.
- 2802.9 The passing grade for the District examination shall be an average of seventy-five percent (75%). However, an applicant shall not receive a grade of less than seventy percent (70%) in more than two (2) areas of the examination.
- 2802.10 After receipt of the District examination results, an applicant may request permission from the Chairperson to review the applicant's examination papers, for the purpose

of improving the applicant's performance upon reexamination. The request shall be made in writing in the same calendar year that the examination was taken. Nothing in this subsection permits an applicant to challenge the score that the applicant received on the examination.

2802.11 An applicant who passes the District examination, but fails the national examination, shall be required to retake and pass the national examination in the same calendar year that the applicant took the District examination. If the applicant fails to pass the national examination in the same calendar year, the applicant shall be required to retake the District examination.

2802.12 An applicant who fails the District examination but passes the national examination shall be required to reapply for and retake only the District examination.

SOURCE: Final Rulemaking published at 35 DCR 2226 (March 25, 1988).

2803 PRACTICE OF VETERINARY MEDICINE BY STUDENTS AND GRADUATES

2803.1 Only the following persons shall be authorized to engage in the supervised practice of veterinary medicine without a license:

- (a) Students who are fulfilling education requirements under section 8 of the Act, D.C. Code §2-2727(a)(1) (1987 Supp.); and
- (b) Graduates whose first application for a license in the District of Columbia is pending.

2803.2 Only a supervisor shall be authorized to supervise the practice of veterinary medicine.

2803.3 A student or graduate may practice veterinary medicine only in accordance with the Act and this title.

2803.4 A student or graduate under this section shall not assume administrative or technical responsibility for the operation of a veterinary facility.

2803.5 Supervised practice by students shall take place under direct supervision. Supervised practice by graduates shall take place under direct or general supervision.

2803.6 A person who has been denied a license or disciplined, or who has such action pending in the District of Columbia of another jurisdiction, shall not practice pursuant to this section unless authorized by the Board in writing.

2803.7 A student or graduate shall identify himself or herself as such before practicing veterinary medicine.

2803.8 A supervisor is fully responsible for all practice by a student or graduate during the period of supervision and shall be subject to disciplinary action for any violation of the Act or this title by the student or graduate.

2803.9 A student or graduate shall not receive compensation of any nature, directly or indirectly, from a client, except for a salary based on hours worked under supervision.

- 2803.10 A student under this section shall not be employed or receive practical training for more than a period of six (6) months in a calendar year.
- 2803.11 Upon notification of failure of the District examination, a graduate shall be terminated from employment and may not practice under this section under any other veterinarian in the District.
- 2803.12 A supervisor shall notify the Board in writing immediately upon the employment or termination of the student or graduate.
- 2803.13 A student or graduate shall be subject to all of the applicable provisions of the Act and this title. The Board may deny an application for a license or take other disciplinary action against the student or graduate who is found to have violated the Act or this title, in accordance with chapter 33 of this title.
- 2803.14 If the Board finds that a student or graduate has violated the Act or this title, the Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student or graduate to practice.
- 2803.15 For purposes of this section, the term "Direct supervision" means supervision in which a veterinarian is available on the premises and within immediate vocal communication of the supervisee.
- 2803.16 For purposes of this section, the term "General supervision" means supervision in which the supervisor is available on the premises or by a communication device at the time the student or graduate is practicing.
- 2803.17 For purposes of this section, the term "Supervisor" means a veterinarian licensed under the Act who is responsible for the supervision of a student or graduate.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2228 (March 25, 1988).

2804 APPLICATION FOR WAIVER OF DISTRICT EXAMINATION

- 2804.1 An applicant who is licensed to practice veterinary medicine, and is in good standing, in a state or territory of the United States which has requirements for licensure that the Board determines are substantially the same as those required by the Act and this chapter and which state or territory admits veterinarians licensed in the District without examination, may request that the Board waive the District examination in accordance with section 8(b) of the Act, D.C. Code §2-2827(b) (1987 Supp.).
- 2804.2 An applicant for a license under this section shall arrange for the licensing agency of the state in which the applicant is licensed to send directly to the Board a certificate or other proof of licensure and good standing.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2230 (March 25, 1988).

2805 APPLICANTS EDUCATED IN FOREIGN COUNTRIES

- 2805.1 An applicant who is a graduate of a foreign veterinary school, in addition to meeting the requirements for applicants under this chapter, chapter 30, and the Act, shall submit with the application:

- (a) A notarized copy of the applicant's Educational Council on Foreign Veterinarian Graduates (ECFVG) certificate; and
- (b) Evidence satisfactory to the Board of the applicant's competency in the English language.

2805.2 An applicant under this section who submits documentation not in English shall provide an English translation, prepared by and certified to be correct by a government official, veterinarian school official, or other translator acceptable to the Board. The translation shall be signed and dated by the person who prepares it, and shall be on official stationery of the preparer.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2230 (March 25, 1988).

2806 DISPLAY OF LICENSE

2806.1 A veterinarian shall conspicuously display the license issued under this chapter in the clinic or animal facility at which the licensee is employed.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2230 (March 25, 1988).

2807 TERM AND RENEWAL OF LICENSE

2807.1 The term of a license issued or renewed pursuant to this chapter shall be two (2) years and shall expire at midnight on December 31 of each odd-numbered year, unless the Director changes the renewal system pursuant to §3306 of this title.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2231 (March 25, 1988).

2808 CONTINUING EDUCATION REQUIREMENTS

2808.1 Subject to §2808.2, this section shall apply to applicants for the renewal of reinstatement of a license for a term expiring December 31, 1991, and for subsequent terms.

2808.2 This section shall not apply to applicants for an initial license by examination or waiver of examination, nor does it apply to applicants for the first renewal of a license granted by examination.

2808.3 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with §2809.

2808.4 An applicant for renewal of a license shall submit proof pursuant to §2808.6 of having completed thirty-six (36) hours of credit in approved continuing education programs during the two (2) year period preceding the date the license expires.

2808.5 To qualify for a license, an applicant for reinstatement of a license shall submit proof pursuant to §2808.6 of having completed eighteen (18) hours of approved continuing education credit for each year after December 31, 1989, that the applicant was not licensed, up to a maximum of fifty-four (54) hours.

2808.6 An applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:

- (a) The name and address of the sponsor of the program;
- (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
- (c) The dates on which the applicant attended the program;
- (d) The hours of credit claimed; and
- (e) Verification by the sponsor of completion, by signature or stamp.

2808.7 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting this proof pursuant to §2808.6 and by paying the required additional late fee. Upon submitting this proof and paying the late fee, the applicant shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.

2808.8 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of applicant's license, the license shall be considered to have lapsed on the date of expiration.

2808.9 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause. As used in this section, "good causes" includes:

- (a) Serious and protracted illness of the applicant; and
- (b) The death or serious and protracted illness of a member of the applicant's immediate family.

2808.10 Veterinarians and course sponsors shall retain continuing education documentation for five (5) years from the date of course completion.

2808.11 If a veterinarian reports false or misleading information to the Board, the Board shall deny the veterinarian credit.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2231 (March 25, 1988).

2809 APPROVED CONTINUING EDUCATION PROGRAMS

2809.1 The Board, in its discretion may approve continuing education programs that contribute to the growth of an applicant in professional competence in veterinary medicine and that meet the other requirements of this section.

2809.2 The Board shall approve the following continuing education programs:

- (a) Continuing veterinary educational programs given by a College of Veterinary Medicine approved by the American Veterinary Medical Association;

- (b) Lectures and scheduled courses or meetings approved by the American Veterinary Medical Association; and
 - (c) Continuing educational programs given or arranged by the District of Columbia Veterinary Medical Association, the District of Columbia Academy of Veterinary Medicine, or the Board.
- 2809.3 The Board, in its discretion, may approve other continuing professional education courses, including postgraduate studies, institutes, seminars, lectures, conferences, workshops, or extension studies.
- 2809.4 To qualify for approval by the Board, a continuing education program shall:
 - (a) Be current in its subject matter; and
 - (b) Be developed and taught by qualified individuals.
- 2809.5 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.
- 2809.6 Continuing education programs specified in §2809.2(d) shall be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board. The Board may, upon subsequent review, withdraw its approval of a previously accredited continuing education course.
- 2809.7 The Board may issue and update a list of approved continuing education programs.
- 2809.8 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2232 (March 25, 1988).

2810 [RESERVED]

2811 RECORD KEEPING

- 2811.1 A veterinarian shall keep on a daily basis a written report of the animals he or she treats. The record shall include pertinent medical data such as dates and type of vaccinations and all relevant medical and surgical procedures.
- 2811.2 A veterinarian shall keep the records required by this section for a period of three (3) years following the last office visit or discharge of such animal from the animal facility.
- 2811.3 A veterinarian shall comply with the record keeping requirements for drugs specified in §2814.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2231 (March 25, 1988).

2812 ISSUANCE OF RABIES VACCINATION CERTIFICATES

- 2812.1 Rabies vaccination certificates shall be signed personally by a veterinarian licensed in the District of Columbia.
- 2812.2 A veterinarian shall not issue a rabies vaccination certificate in blank or without being completed.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2234 (March 25, 1988).

2813 MANAGEMENT AND USE OF DRUGS

- 2813.1 A veterinarian shall prescribe, administer, or dispense drugs only for use on animals within the course of the veterinarian's professional practice. A veterinarian shall not prescribe drugs for use by humans.
- 2813.2 A veterinarian shall prescribe drugs only by a written prescription or on oral prescription to a pharmacist as authorized by, and in compliance with, applicable with, applicable District and federal laws and regulations.
- 2813.3 A written prescription shall have the following:
- (a) Be signed by the prescribing veterinarian;
 - (b) Be dated on the day issued;
 - (c) Contain the full name and street address of the owner of the animal, the species of animal for which the drug is prescribed; and
 - (d) Contain the full name and street address of the veterinarian and the veterinarian's Drug Enforcement Administration number.
- 2813.4 Drugs may be administered only by a veterinarian or a veterinary assistant properly trained by a veterinarian in the manner of such administration of drugs and under the immediate direction of a veterinarian.
- 2813.5 A veterinarian shall retain the records required by this section for three (3) years and shall keep them separate from other records.
- 2813.6 The director may exempt holders of a special permit issued pursuant to §2816 from the requirement of having a veterinarian administer or supervise the use of sodium pentobarbital.
- 2813.7 All drugs shall be dispensed by a veterinarian, or by a veterinary assistant pursuant to a prescription of a veterinarian. A veterinarian shall thoroughly inspect the prepared prescription and verify its accuracy in all respects.
- 2813.8 All drugs dispensed by a veterinarian shall be labeled with the following information:

- (a) The name, address, and telephone number of the animal facility;
- (b) The name and strength of the drug;
- (c) The name of the client and animal identification;
- (d) The date dispensed;
- (e) Directions for use;
- (f) The expiration date of the drug, where applicable; and
- (g) The name of the prescribing veterinarian.

2813.9 All drugs dispensed by a veterinarian shall be in air-tight and light-resistant containers. All drugs dispensed by any veterinarian shall be in approved safety closure containers, unless the owner of the animal expressly requests that the medication not be provided in such containers.

2813.10 A veterinarian shall keep an account of all drugs prescribed, administered, or dispensed in the client record.

2813.11 A veterinarian shall keep controlled substances records separate from the client's other records and shall maintain them in chronological order for the administration, dispensing, or application of all Schedule II, III, IV and V drugs listed as part of the District of Columbia Uniform Controlled substances Act of 1981, D.C. Law 4-29, D.C. Code §§33-501 to 33-567. This record shall include the following:

- (a) The date of transaction;
- (b) The name of the drug and the amount dispensed or administered;
- (c) The name of the client and animal identification; and
- (d) The name of person administering, dispensing, or selling the drug.

2813.12 A veterinarian shall maintain invoices for all Schedule II, III, IV, and V drugs received on the premises where the stock of drugs is held, and shall keep invoices for schedule II drugs separate from other records. All records shall be maintained for a period of three (3) years from the date of a transaction.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2234 (March 25, 1988).

2814 STORAGE AND INVENTORY OF DRUGS

2814.1 Drugs shall be stored in the following manner:

- (a) Under conditions specified on the label of the original container, or as specified in the official veterinary medicine compendium;
- (b) In accordance with applicable District and federal laws and regulations; and

(c) Under secure conditions so as to prevent theft or diversion.

- 2814.2 Drug storage areas shall be secure and temperature controlled and shall be kept clean and orderly.
- 2814.3 The stock of drugs and biologicals shall be reviewed at reasonable intervals so that working stock, at the time of expiration, are removed.
- 2814.4 A veterinarian shall take an inventory of all Schedule II, III, IV, and V drugs under the veterinarian's control every two (2) years and shall date and sign the inventory. The inventory shall indicate if it was made at the opening or closing of business and shall be kept on the premises where the drugs are stocked for three (3) years from the date of the inventory.
- 2814.5 A veterinarian shall keep Schedule II controlled substances in a locked area. Only a veterinarian shall have access to such drugs.
- 2814.6 A veterinarian shall immediately report the theft or unusual loss of Schedule II, III, IV or V controlled substances to the Department and the United States Drug Enforcement Administration. The Director shall make such forms available without charge to all veterinarians.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2236 (March 25, 1988).

2815 DIRECT SUPERVISION OF ANESTHESIA

- 2815.1 A veterinarian shall administer anesthesia to an animal until the animal is stabilized.
- 2815.2 The veterinarian shall be present during the maintenance and monitoring of anesthesia to an animal by a nurse, veterinary assistant or other employee.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2237 (March 25, 1988).

2816 USE OF SODIUM PENTOBARBITAL

- 2816.1 The Director may issue to any animal facility or humane society which so requests a special permit for the purpose of buying, possessing, and using sodium pentobarbital to terminate humanely the lives of injured, sick, homeless, or unwanted domestic pets and animals. The application for a special permit and its renewal thereof, shall be accompanied by the required fee.
- 2816.2 Any animal facility authorized to terminate humanely the lives of domestic pets and animals shall maintain complete and accurate records of the following:
- (a) All sodium pentobarbital received, administered, or otherwise disposed, including all sodium pentobarbital administered in an injectable form as supplied by the manufacturer; and
 - (b) The date the drug was administered, type of animal, weight of animal, amount of sodium pentobarbital administered, and the signature of the veterinarian or authorized employee.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2237 (March 25, 1988).

2817 ABANDONMENT OF ANIMALS

- 2817.1 A veterinarian may deem an animal to be abandoned if the animal is not claimed within ten (10) days after the notice to the owner specified by §2817.2 has been made.
- 2817.2 The notice required by §2817.1 shall be in writing sent by certified mail, return receipt requested, and by regular mail to the last known address of the owner. The refusal of the owner to accept notice shall not render the notice invalid.
- 2817.3 A veterinarian may give an abandoned animal to any incorporated humane organization in the District of Columbia that has an animal holding facility or to the District of Columbia Animal Shelter.
- 2817.4 A veterinarian shall be authorized to terminate the life of an animal humanely without the consent of the owner if all of the following conditions are satisfied:
- (a) The animal is suffering with no reasonable hope of relief;
 - (b) The owner is unreachable, and a reasonable effort to locate the owner has been made; and
 - (c) A second veterinarian, not associated with the first, concurs in writing with the determination of the veterinarian under paragraph (a) of this subsection after an on-site examination of the animal.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2237 (March 25, 1988).

2818 [RESERVED]

2819 DISCIPLINARY ACTIONS

- 2819.1 The Board may revoke or suspend, or refuse to renew or restore, the license of a veterinarian, or deny an applicant a license, for violation of section 10 of the Act, D.C. Code §2-2729 (1987 Supp.), after providing notice and an opportunity for a hearing pursuant to chapter 33 of this title.
- 2819.2 If the Board determines that there are sufficient grounds to take one of the actions specified in §2819.1, the Board, may, in place of taking such action, take one or more of the following lesser actions:
- (a) Reprimand the veterinarian;
 - (b) Place the veterinarian on probation for a specified period;

- (c) Impose limitations on the license of the veterinarian; or
- (d) Require a course of remediation approved by the Board, which may include:
 - (1) Therapy or treatment;
 - (2) Retraining; and
 - (3) Reexamination, in the discretion of and in the manner prescribed by the Board, after the completion of the course of remediation.

2819.3 If the Board places a veterinarian on probation, imposes limitations on the license of a veterinarian, or requires a course of remediation pursuant to §§2819.2(b), (c), or (d), the Board may provide that the Board may suspend or revoke the veterinarian's license, if the veterinarian fails to satisfy the conditions of probation, to observe the limitations imposed on the license, or complete the course of remediation.

2819.4 The Chairperson of the Board may sign an order, decision, or other document of the Board on behalf of the Board.

2819.5 A violation of the Act, this chapter, or chapter 33 of this title shall constitute unprofessional conduct within the meaning of §10(a)(13) of the Act, D.C. Code §2-2729(a)(13) (1987 Supp.).

SOURCE: Final Rulemaking published at 35 DCR 2226, 2238 (March 25, 1988).

2899 DEFINITIONS

2899.1 As used in this chapter, the following terms have the meanings ascribed:

Act - the District of Columbia Board of Veterinary Practice Act of 1982, D.C. Law 4-171, D.C. Code §§2-2721 to 2-2737 (1987 Supp.).

Applicant - a person applying for a license to practice veterinary medicine under this chapter.

Board - the District of Columbia Board of Veterinary Examiners for the District of Columbia, established by the Act.

Chairperson - the Chairperson of the Board of Veterinary Examiners designated by the Mayor pursuant to §6(k) of the Act, D.C. Code §2-2725(k) (1987 Supp.), or a person designated by the board to preside at a hearing or act in place of the Chairperson.

Veterinarian - a person licensed to practice veterinary medicine under this chapter.

Veterinary Assistant - an person who is trained in animal care and who performs duties under the supervision of a veterinarian.

2899.2 The definitions in §3399 of chapter 33 of this title are incorporated by reference into and are applicable to this title.

SOURCE: Final Rulemaking published at 35 DCR 2226, 2239 (March 25, 1988).

